



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	ADS-MVK-2005-1377
EVALUATOR:	Mr. Arel Simpson
PHONE NO.:	(601) 631-5996
FAX NO.:	(601) 631-5459
E-MAIL:	Regulatory@mvk02.usace.army.mil
DATE:	October 5, 2005
EXPIRATION DATE:	October 26, 2005

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District and the Arkansas Department of Environmental Quality are considering an application for a Department of the Army Permit and State Water Quality Certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F and the Arkansas Department of Environmental Quality at Post Office Box 8913, Little Rock, AR 72219-8913, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

<u>Name of Applicant:</u>	<u>Name of Agent:</u>
Orange State Realty, Inc.	Christine Snow
711 West St. Anthony Avenue	711 West St. Anthony Avenue
Effingham, Illinois 62401	Effingham, Illinois 62401

Location of Work: Section 17, T17S-R15W, latitude 33°14'25" North longitude 92°40'05" West, within the Ouachita River drainage basin, Union County, in El Dorado, Arkansas.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to place dredged and/or fill material in jurisdictional wetlands for construction associated with commercial development.

The proposed site contains approximately 18 acres and is bordered on three sides with existing retail stores. Approximately 1.6 acres of cutover jurisdictional wetlands within the project boundaries would be impacted.

The proposed development would involve the construction of a family clothing store, a department store, and a discount retail store. One retail store would contain approximately 125,000 square feet. The second retail store would contain approximately 25,000 square feet. The third retail store would contain 20,000 square feet. The building footprint would not impact jurisdictional wetlands.

A city of El Dorado ordinance requires a minimum of 850 parking spaces to provide parking for the proposed retail development. The 850 parking spaces along with access roads would impact the jurisdictional wetlands.

The wetlands would be mechanically cleared, destumped, and filled to facilitate construction of the parking spaces and access roads. Approximately 1,500 to 2,000 cubic yards of clay, sand, rock, and concrete would be required to fill in the wetlands to the desire level. The source of the fill material would be from onsite borrow areas and offsite sources.

Culverts of the proper size would be installed to direct storm water runoff. Storm water runoff flows north through the property to a drain along the north boundary line.

The property has three pipeline easements assigned to the land deed. Two of the pipeline easements adjoin or cross the cutover wetlands.

The cutover wetlands vegetation is composed of soft rush, common privet, sedge, honeysuckle, black willow, smartweed, and other species.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the

natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Union County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation,

recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

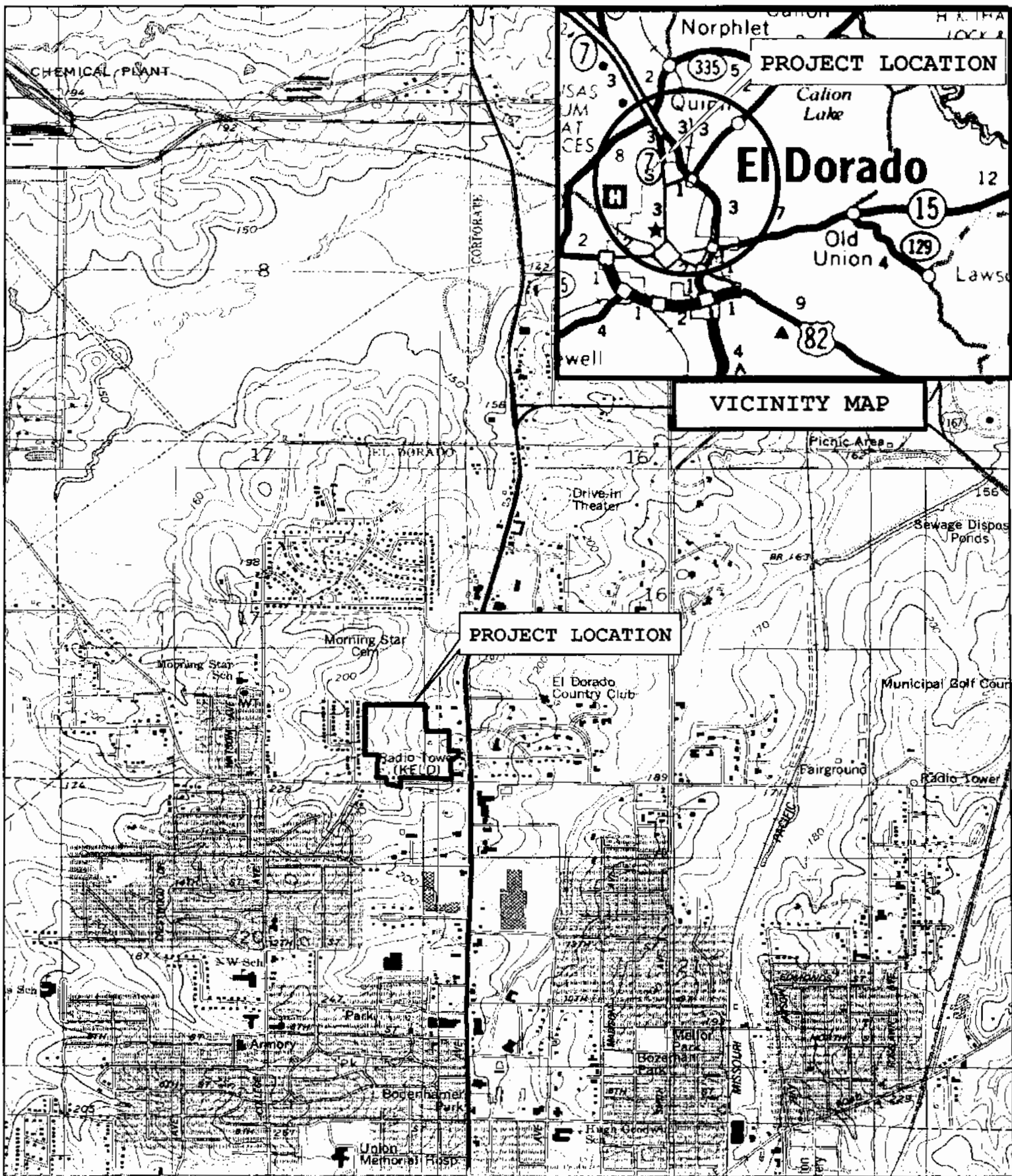
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

SHOPPING SQUARE PLAZA

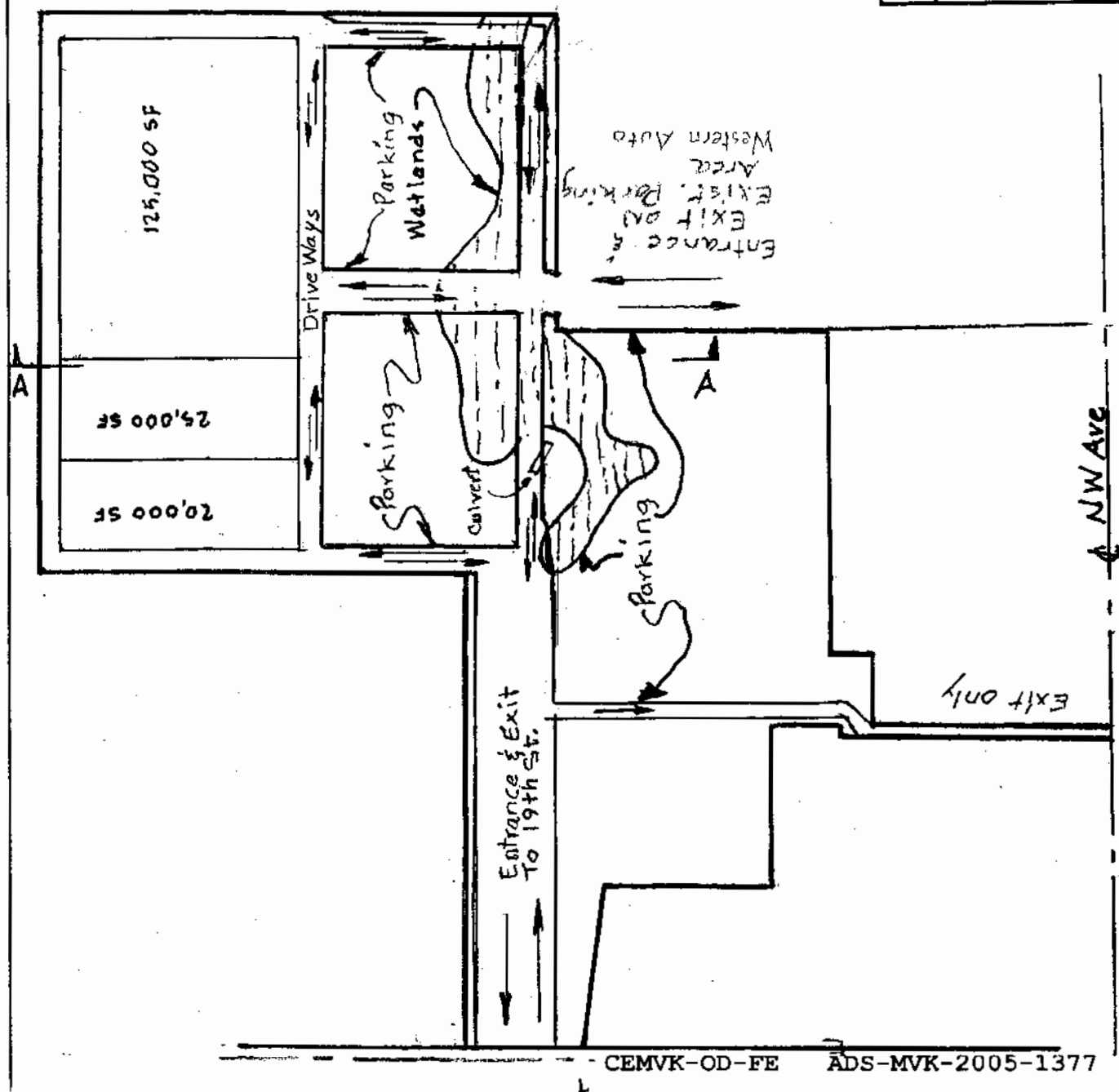


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CEMVK-OD-FE ADS-MVK-2005-1377
ORANGE STATE REALTY, INC.



Orange State Realty, Inc.

Plan View

SHOPPING SQUARE PLAZA

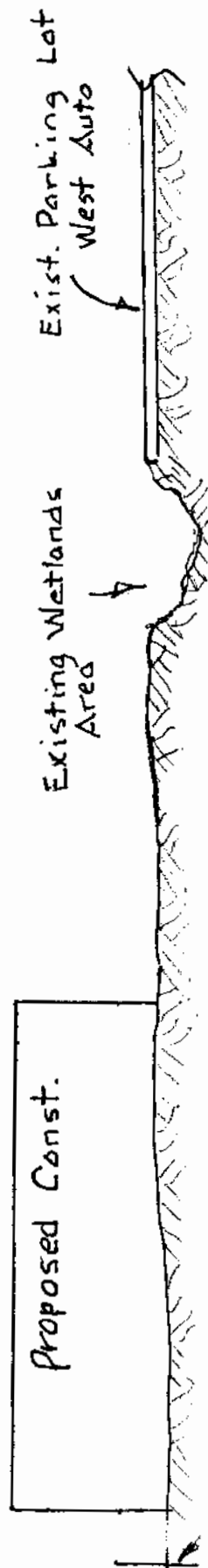
El Dorado, Arkansas Union County

Section 17, T17S, R15W

Scale: 1"=200' Date: 8/24/05

CEMVK-OD-FE ADS-MVK-2005-1377

Orange State Realty, Incorporated



Section "A-A"

Western Boundary of Property

CEMVK-OD-FE ADS-MVK-2005-1377

Orange State Realty, Incorporated

Orange State Realty, Inc.
Cross Section
SHOPPING SQUARE PLAZA
El Dorado, Arkansas Union County
Section 17, T17S, R15W
Scale: 1"=100' Date: 8/24/05